IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.5611 OF 2005

Mr.Gini Thomas George ...Applicant
vs.
The State of Maharashtra ...Respondent

Ms Pranali Kakade for the Applicant
Mr.K.V.Saste,A.P.P. for State

CORAM: A.S.OKA,J.
DATE : SEPTEMBER 16,2005

P.C.:

1. Heard Advocate appearing for the Applicant and learned A.P.P. for State.

2. The Sessions Court has granted bail in favour of the Applicant subject to furnishing P.R.Bond in the sum of Rs.10,00,000/- and surety bond in the like amount. Apart from the said conditions, other conditions have been imposed by the Sessions Court.

3. The contention of the Applicant is that bail amount of Rs.10,00,000/- is exorbitant and it is impossible for the applicant to avail of the facility of bail and notwithstanding grant of bail the Applicant may continue to languish in jail.

4. I have considered the submissions. The learned Advocate for the applicant has placed on record a copy of order dated 30th August 2005 passed in Criminal Application No.5470 of

2005 and other similar Applications by this court. By the said order, this Court has modified similar condition imposed by the Sessions Court in cases of co-accused in the same case. The learned A.P.P. on instructions of the Investigating Officer stated for the reasons which are stated while deciding the aforesaid applications, are applicable to this application and therefore this applicant is also entitled to similar relief.

5.In view of this position, I pass the following order :

i) Condition Nos. (ii) to (iv) in the order passed in favour of the Applicant are modified and the said conditions will now read as under :

"ii) The Applicant shall be enlarged on bail on furnishing P.R.Bond in the sum of Rs.75,000/- with one or two local sureties in the like amount.

iii) The bail is granted subject to the condition that the Applicant shall not leave the area falling within the jurisdiction of Pune District till the conclusion of trial without permission of the Sessions Court.

iv) The order granting bail will be given effect only

after the Applicant surrenders his passport to the office of A.C.P. Crime Branch, Pune and only after the Applicant furnishes his detailed address of the place where he proposes to stay after he is enlarged on bail."

ii) The other conditions stand as it is.

iii) Parties to act upon an authenticated copy of this order.

JUDGE